

REMARKS

In accordance with the foregoing, claim 11 has been amended. Claims 1-21 are pending and under consideration.

The claim rejection under 35 U.S.C. § 112 is overcome by the present amendments.

The rejections based on Wang are respectfully traversed. This reference teaches alternating sweatbands 32 and elastic bands 31. The sweatbands 32 include two separate sweatbands at the front and rear of the hat. Wang, Fig. 2. The Examiner relies upon the rear sweatband 32 and the elastic bands 31 of this reference as respectively corresponding to the claimed front and rear parts. However, claim 1 (for example) recites that the front part and the rear part forming a continuous loop. However, the rear sweatband 32 and the elastic bands 31 do not appear to form a loop. In order to form a loop, the Examiner would also have to rely upon the front sweatband 32. However, if the Examiner relied upon the front sweatband 32, Wang would not disclose that the front part is formed of a stretchable material, as claimed.

The remaining references do not overcome these deficiencies.

Accordingly, withdrawal of the rejections is requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

**RESPONSE UNDER 37 CFR 1.116
BOX AF
EXPEDITED PROCEDURE
EXAMINING GROUP 3765**

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

By: 

Michael J. Badagliacca
Registration No. 39,099

Date: 7-28-08
1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501